

**FEE
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APR 30 2004
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INTELLIGENCE

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Kazuki Yokota

Serial No.: 09/627,456

Group Art Unit: 2851

Filed: July 27, 2000

Examiner: Cruz, Magda

For: OVERLAY MARK, METHOD OF MEASURING OVERLAP ACCURACY,
METHOD OF MAKING ALIGNMENT AND SEMICONDUCTOR DEVICE THEREWITH

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

**NOTICE OF APPEAL AND CONDITIONAL PETITION AND FEE FOR
EXTENSION OF TIME UNDER 37 C.F.R. § 1.136(a)**

Sir:

In response to the Office Action dated October 30, 2003, the Applicant files the
Notice of Appeal and Conditional Petition and Fee For Extension of Time.

\$950.00 as the timely filed Response is still pending

obtaining the Examiner's reply (e.g., an Advisory Action or Notice of Allowance) and

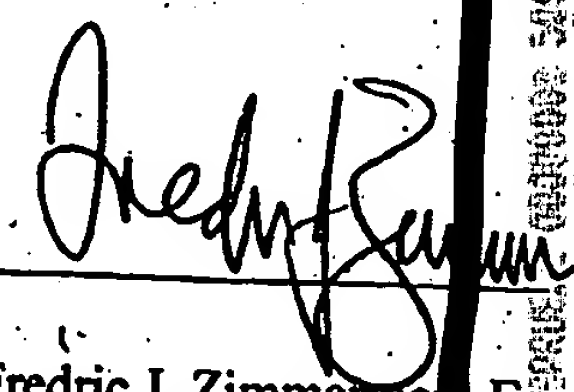
the USPTO's delay

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WAK.059

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Deposit Account No. 50-0481 should the PTO Officials contend that it is necessary to charge
the Applicant despite the internal PTO delay.

Respectfully Submitted,



Fredric J. Zimmermann Esq.
Reg. No. 48,747

Date: Apr. 1. 30, 2004

McGinn & Gibb, PLLC
8321 Old Courthouse Rd., Suite 200

06/03/2004
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